

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

GLENN FORSYTH WOOD,

Petitioner,

V.

MELISSA RENEE WOOD,

Respondent.

NO: 13-CV-3046-TOR

PRELIMINARY INJUNCTION

and

ORDER TO SHOW CAUSE

BEFORE THE COURT is an order to show cause why Respondent should

not be restrained from removing her child, LPBW, from this Court's jurisdiction

pending full adjudication of the Verified Petition for Return of Child to the United

Kingdom (ECF No. 1). A hearing on this matter was held on May 17, 2013.

Petitioner was represented by attorneys Andrew A. Guy, Kelly Ann Powers

Stephen J. Cullen, Respondent appeared personally and was represented by Qui-

Dalan. This Order will memorialize the Court's oral rulings.

For the reasons stated in the Court's Temporary Restraining Order

1 May 8, 2013 (ECF No. 7), the Court finds that Respondent should continue to be
2 enjoined from removing LPBW from the Eastern District of Washington pending
3 resolution of this case. Respondent was afforded an opportunity to be heard on this
4 matter during the hearing and did not object to the issuance of a preliminary
5 injunction on these terms. Accordingly, continuing injunctive relief is appropriate
6 under Rule 65(a). The Court will also order additional injunctive relief by
7 stipulation of the parties on the terms set forth below.

8 **IT IS HEREBY ORDERED:**

9 1. Pending the conclusion of this action, in order to protect the safety and well-
10 being of the child, Petitioner Glenn Forsyth Wood and Respondent Melissa
11 Renee Wood are restrained from (1) removing their child from, or causing or
12 permitting the child to be removed from, the Eastern District of Washington;
13 (2) causing physical harm or bodily injury to the other party; and (3)
14 assaulting, molesting, harassing, threatening or stalking the other party.

15 Without limiting the generality of the preceding sentence, the restrained acts
16 include, without limitation, keeping the other party under physical or
17 electronic surveillance, cyber stalking as defined in RCW 9.61.260, and
18 using telephonic, audiovisual, or other electronic means to monitor the
19 actions or communications of the other.

- 1 2. The parties are further restrained from renewing any passport(s) or other
- 2 travel document(s) belonging to LPBW until further order of the Court or
- 3 until final resolution of this case.
- 4 3. The parties shall provide for visitation of the child with Petitioner pursuant
- 5 to the schedule to which the parties stipulated in open court. Petitioner shall
- 6 surrender his passport to Respondent's counsel for safekeeping prior to the
- 7 visitation period. Respondent's counsel shall return Petitioner's passport
- 8 immediately upon the child's return to Respondent's custody, which the
- 9 parties have scheduled for Sunday, May 19, 2013 at 2:00 p.m.
- 10 4. Upon a finding that there is no reasonable likelihood of harm to either party
- 11 from being wrongfully enjoined, *see Jorgensen v. Cassiday*, 320 F.3d 906,
- 12 919 (9th Cir. 2003), neither Petitioner nor respondent shall be required to
- 13 give security under Rule 65(c).
- 14 5. The parties have expressed a desire to mediate this case through a pilot
- 15 mediation program administered by the United States Central Authority
- 16 through the State Department. In order to accommodate mediation, and at
- 17 the request of the parties, the Court has scheduled the plenary hearing on the
- 18 Petition beyond the presumptive six-week deadline for resolution of a case
- 19 arising under the Hague Convention. Respondent is **ORDERED** to appear
- 20 before this Court on **Tuesday, July 23, 2013, at 10:00 a.m.** to show cause,

1 if any she has, why the relief requested in the Verified Petition for Return of
2 Child to the United Kingdom (ECF No. 1) should not be granted.

3 6. Respondent shall file a memorandum outlining any affirmative defenses she
4 intends to pursue on or before **July 9, 2013**.

5 The District Court Executive is directed to enter this Order, provide copies
6 to counsel.

7 **DATED** May 17, 2013.



8 A handwritten signature in blue ink that reads "Thomas O. Rice".
9 THOMAS O. RICE
10 United States District Judge

11
12
13
14
15
16
17
18
19
20